

RECEIVED  
CENTRAL FAX CENTER  
DEC 06 2004

**FACSIMILE**

PLEASE CALL US AT (703) 413-8000 IF THIS MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

ATTORNEYS AT LAW

1940 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314  
USA

(703) 413-3000  
(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

WWW.OBLON.COM

<b>TO</b>		<b>Examiner Stoshick</b>	<b>DATE</b> 12-6-04
NAME	USPTO		571 273-4561 (703) 748-4250
COMPANY/FIRM	FAX #		
NUMBER OF PAGES INCLUDING COVER:	14	CONFIRM FAX: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<b>FROM</b>		<b>Robert T. Pous</b>	<b>202115US</b>
NAME	(703) 412-6222		OUR REFERENCE
DIRECT PHONE #			09/765,805
		YOUR REFERENCE	

**MESSAGE**

Per your request, enclosed please find a signed copy of the RCE filed on 5-25-04. If you have any further questions, please do not hesitate to contact us.

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.

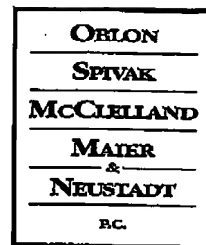
OSMM&N File No. 202115US3Dept.: EMBy: GJM/RTP/cfd✓ Serial No. 09/765,605In the matter of the Application of: Mario POLEGATO MORETTIFor: WATERPROOFED VAPOR-PERMEABLE SOLE FOR SHOESDue Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Credit Card Form for \$770.00
- Dep. Acct. Order Form
- RCE
- Renewed Appeal Brief Under 37 C.F.R. 1.192 (in triplicate)
- Submission Under 37 C.F.R. 1.114
- Cover Letter

I:\cfdsav\202115.fr





Docket No.: 202115US3

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

GREGORY J. MAIER  
(703) 413-3000  
GMAIER@OBLON.COMROBERT T. POUS  
(703) 413-3000  
RPOUS@OBLON.COM

RE: Application Serial No.: 09/765,605  
Applicants: Mario POLEGATO MORETTI  
Filing Date: January 22, 2001  
For: WATERPROOFED VAPOR-PERMEABLE SOLE  
FOR SHOES  
Group Art Unit: 3728  
Examiner: STASHICK, A.

SIR:

Attached hereto for filing are the following papers:

RCE

Renewed Appeal Brief Under 37 C.F.R. §1.192 (in triplicate)  
Submission Under 37 C.F.R. §1.114

Our credit card payment form in the amount of \$770.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

---

Gregory J. Maier  
Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)  
I:\cfdav\202115.cvr

Robert T. Pous  
Registration No. 29,099

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.  
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

DEC. 6. 2004 3:29PM

OBLON SPIVAK

NO. 476 P. 4

Docket No.: 202115US3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Mario POLEGATO MORETTI

SERIAL NO: 09/765,605

GAU: 3728

FILED: January 22, 2001

EXAMINER: STASHICK, A.

FOR: WATERPROOFED VAPOR-PERMEABLE SOLE FOR SHOES

RECEIVED  
CENTRAL FAX CENTER  
DEC 06 2004

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

## Submission required under 37 C.F.R. §1.114

Previously Submitted:

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Enclosed:

- ☒ Renewed Appeal Brief Under 37 C.F.R. §1.192 (in triplicate)
- ☐ Information Disclosure Statement (IDS)
- ☒ Other: Submission Under 37 C.F.R. §1.114

FEES	RATE	CALCULATIONS
<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months.	\$130.00	\$0.00
<input checked="" type="checkbox"/> RCE Fee required under 37 C.F.R. §1.17(e)	\$770.00	\$770.00
<input type="checkbox"/>		\$0.00
<input type="checkbox"/>		\$0.00
TOTAL OF ABOVE CALCULATIONS:		\$770.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING AS SMALL ENTITY		\$0.00
TOTAL:		\$770.00

- ☐ A check in the amount of \$0.00 is enclosed
- ☒ Credit card payment form is attached to cover the fees in the amount of \$770.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136, and any additional fees required under 37 CFR 1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, MCLELLAND,  
MAIER & NEUBAUER, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

22850

Tel. (703) 413-3000

Fax. (703) 413-2220

I:\cfdav\202115.rce

Robert T. Pous

Registration No. 29,099

DOCKET NO: 202115US3

RECEIVED  
CENTRAL FAX CENTER

DEC 06 2004

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

MARIO POLEGATO MORETTI :

EXAMINER: STASHICK, A.

SERIAL NO: 09/765,605 :

FILED: JANUARY 22, 2001 :

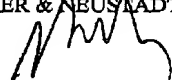
GROUP ART UNIT: 3728

FOR: WATERPROOFED VAPOR-  
PERMEABLE SOLE FOR SHOES :SUBMISSION UNDER 37 C.F.R. 1.114COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

The present RCB is being filed with three copies of a renewed Appeal Brief under 37 C.F.R. 1.192. In order to comply with 37 C.F.R. 1.114, Applicant herein incorporates by reference the arguments in the Appeal Brief filed on February 21, 2003.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Robert T. Pous  
Attorney of Record  
Registration No. 29,099

I:\CFDAV\202115.1114